

THE HONORABLE RICHARD A JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR19-35RAJ
)	
Plaintiff,)	
)	ORDER GRANTING UNOPPOSED
v.)	MOTION TO CONTINUE TRIAL
)	AND PRETRIAL MOTIONS
RHETT IRONS, BARRY HORN, and)	DEADLINE
NICHOLAS STARTZMAN,)	
)	
Defendant.)	

THE COURT has considered Defendants Rhett Irons' and Barry Horn's unopposed motion to continue the trial date and pretrial motions deadline, which has been joined by Defendant Nicholas Startzman, and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendants the reasonable time necessary for effective preparation due to counsels' need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendants have requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

1 (d) the ends of justice will best be served by a continuance, and the ends of
2 justice outweigh the best interests of the public and the defendants in any speedier trial,
3 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

4 (e) the additional time requested between the current trial date of April 29, 2019,
5 and the new trial date is necessary to provide counsel for the defendants the reasonable
6 time necessary to prepare for trial, considering counsels' schedules and all of the facts
7 set forth above.

8 IT IS THEREFORE ORDERED that the Defendants' Unopposed Motion to
9 Continue Trial Date and Pretrial Motions Deadline (Dkt. #56) is GRANTED. The trial
10 date in this matter is continued to October 7, 2019. All pretrial motions, including
11 motions in limine, shall be filed no later than August 29, 2019.

12 IT IS FURTHER ORDERED that the period of delay from the date of this order
13 to the new trial date of October 7, 2019, is excludable time pursuant to 18 U.S.C.
14 §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

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16 DATED this 26th day of April, 2019.

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20 The Honorable Richard A. Jones
21 United States District Judge
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